

FILED

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2010 APR 29 PM 3:41

CLERK U.S. DISTRICT COURT
CENTRAL DIST. CALIF.
LOS ANGELES

BY _____

Attorneys for ANSCHUTZ

ENTERTAINMENT GROUP, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

ALBERT MORA,

Plaintiff,

v.

ANSCHUTZ ENTERTAINMENT
GROUP, INC.; a CORPORATION AND
DOES 1 THROUGH 20 INCLUSIVE.

Defendants.

CV10-3242 DSF (FMOx)
Case No. _____

[Los Angeles Superior Court Case
No. BC434534]

**DEFENDANT ANSCHUTZ
ENTERTAINMENT GROUP,
INC.'S NOTICE OF REMOVAL
UNDER 28 U.S.C. §§ 1331 AND
1441(a),(b)**

(FEDERAL QUESTION)

Complaint Filed: March 24, 2010

**TO THE CLERK OF THE ABOVE-ENTITLED COURT, AND TO
ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1441 and 1446,
Defendant Anschutz Entertainment Group, Inc. ("Defendant") removes to this Court
the action described below from the Superior Court of the State of California for the
County of Los Angeles to the United States District Court for the Central District of
California on the basis of federal question jurisdiction.

BACKGROUND

1. Plaintiff Albert Mora filed an action in the Superior Court of the State of California, County of Los Angeles, entitled *Albert Mora v. Anschutz Entertainment Group, Inc.; and Does 1 through 20*, Case No. BC434534, on March 24, 2010 ("State Court Action").

2. Defendant was served with a copy of the Summons and Complaint on March 30, 2010. Defendant filed an Answer in the State Court Action, but has not taken part in any proceedings or filed any other pleadings.

3. The Complaint asserts in the first and second causes of action, *inter alia*, claims for interference and retaliation in violations of the Family Medical Leave Act ("FMLA"), 29 U.S.C. §§ 2601, *et seq.* The Complaint also asserts in its first cause of action an alleged violation of the California Family Rights Act ("CFRA") and in his second cause of action alleged violations of CFRA and the Fair Employment and Housing Act ("FEHA"). The CFRA and the FEHA claims in these two causes of action arise from the same general allegations as the FMLA claim, but Plaintiff specifically asserts violations of each of the statutes. The Complaint also asserts causes of action for tortuous retaliation and wrongful termination in violation of public policy. The bases for Plaintiff's public policy claims include alleged violations of the FMLA.

BASIS FOR REMOVAL

4. The above-described State Court Action is a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. Section 1331, and is one that may be removed to this Court by Defendant pursuant to 28 U.S.C. Section 1441, subsections (a) and (b).

5. Section 1441(a) of Title 28 to the United States Code provides for removal of any action in which the United States District Courts have original jurisdiction. Section 1441(b) states that District Courts have original jurisdiction over any civil action founded on a claim or right arising under the laws of the

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1 United States.

2 6. Plaintiff alleges that:

3 a. At all relevant times, the Family and Medical Leave Act
4 (“FMLA”), 29 U.S.C. § 2601 was in full force and effect and binding on Defendant
5 and prohibited an employer from interfering with an eligible employee’s right to
6 take a FMLA leave. (Compl. ¶¶ 6, and 11.) Additionally, Plaintiff alleges that
7 FMLA prohibits an employer from retaliating against an employee for exercising his
8 right to take such a leave. (Compl. ¶ 11.)

9 b. Plaintiff’s first cause of action for interference in violation of
10 FMLA and CFRA alleges, *inter alia*, that Defendant engaged in “improper conduct
11 in the workplace by interfering with Plaintiff’s right to take a leave of absence under
12 the FMLA” and that the “alleged statutory schemes prohibit an employer from
13 interfering with an eligible employee’s right to take either an FMLA or CFRA leave
14 or retaliating against an employee for wanting to take such a leave.” (Compl. ¶ 13.)
15 Plaintiff asserts, *inter alia*, “AEG terminated Mora so as to prohibit him from
16 exercising his rights under the FMLA....” (Compl. ¶ 12.) He further alleges based
17 on Defendant’s alleged “willful” conduct “he seeks an award of other damages
18 recoverable under the FMLA” (Compl. ¶ 15.)

19 c. Plaintiff’s second cause of action for retaliation-FMLA, CFRA
20 and FEHA alleges, *inter alia*, that “FMLA” protects “workers from retaliation.”
21 (Compl. ¶ 19.) Plaintiff further asserts, *inter alia*, Defendant’s conduct “constitutes
22 unlawful retaliation in violation of the FMLA....” (Compl. ¶¶ 20 and 26.) He
23 further alleges based on Defendant’s alleged “willful” conduct “he seeks an award
24 of other damages recoverable under the FMLA....” (Compl. ¶¶ 22 and 27.)

25 7. Thus, Plaintiff’s first and second causes of action include claims arising
26 under federal law because they are, in part, predicated on an alleged violation of,
27 and seek relief specifically allowed by and pursuant to, a federal statute and are
28 dependent on resolution of substantial and disputed federal questions.

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8. This Court has supplemental jurisdiction over the Plaintiff's state law claims. Those claims arise under the same operative facts as Plaintiff's federal claims. Accordingly, each of Plaintiff's state-law claims are related to Plaintiff's federal claims and form a part of the same case and controversy pursuant to 28 U.S.C. § 1367(a).

PROCEDURAL COMPLIANCE

9. This Notice of Removal is timely filed within thirty days of March 30, 2010, when Defendant was served with the Action. 28 U.S.C. § 1446(b).

10. Venue for removal is proper in this court pursuant to 28 U.S.C. Section 1446, because the United States District Court for the Central District of California embraces the Superior Court of the State of California for the County of Los Angeles, the forum in which the removed action was pending.

11. Pursuant to 28 U.S.C. Section 1446(a), attached as Exhibit A are copies of "all process, pleadings, and orders served upon" Defendant. A copy of this Notice of Removal is being served on all parties of record and will be filed with the Clerk of the Superior Court for the County of Los Angeles.

CONCLUSION

12. Defendant respectfully requests that the above-described State Court Action be removed from the state court in which it was filed to the United States District Court in and for the Central District of California, and requests further that this Honorable Court issue all necessary orders and process and grant such other and further relief as in law and justice Defendant may be entitled to receive.

Dated: April 29, 2010

Respectfully submitted,

BRYAN CAVE LLP

By: 
PAMELA CARROLL CALVET
Attorneys for ANSCHUTZ
ENTERTAINMENT GROUP, INC.

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SUMMONS

(CITACION JUDICIAL)

NOTICE TO DEFENDANT: ANSCHUTZ ENTERTAINMENT GROUP, (AVISO AL DEMANDADO): INC., a corporation; and DOES 1 through 20, inclusive,

YOU ARE BEING SUED BY PLAINTIFF: ALBERT MORA (LO ESTÁ DEMANDANDO EL DEMANDANTE):

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

MAR 24 2010

John A. Clarke, Executive Officer/Clerk
By RUGENA LOPEZ Deputy

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
111 North Hill Street
Los Angeles, California 90012
Central District

CASE NUMBER:
(Número del Caso):

BC434534

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

PRATA & DALEY LLP

(213) 622-5600 (213) 622-5600

Cassandra J. Zappaterreno (Bar No. 208798)

515 South Figueroa Street, Suite 1115

Los Angeles, California 90071

DATE:

MAR 24 2010

Clerk, by

(Secretario)

Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify):

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

4. ☐ by personal delivery on (date):



PRATA & DALEY LLP
 Robert J. Prata (Bar No. 162600)
 Cassandra J. Zappaterreno, Esq. (Bar No. 208798)
 Nathan D. Clark (Bar No. 256472)
 515 South Figueroa Street
 Suite 1515
 Los Angeles, California 90071
 (213) 622-5600
 Facsimile (213) 622-5623

Attorneys for Plaintiff
 ALBERT MORA

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF LOS ANGELES
 MAR 24 2010
 John A. Clarke, Executive Officer/Clerk
 By RUGENA LOPEZ Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES

ALBERT MORA

Plaintiff,

vs.

ANSCHUTZ ENTERTAINMENT GROUP,
 INC., a corporation; and DOES 1 through 20,
 inclusive,

Defendants.

Case No.:

BC434584

COMPLAINT FOR DAMAGES FOR:

1. Interference in Violation of Family and Medical Leave Act and California Family Rights Act;
2. Retaliation (Statutory);
3. Retaliation (Tortious);
4. Wrongful Termination in Violation of Public Policy

Demand For Jury Trial

Jurisdiction: Unlimited

Plaintiff, Albert Mora, alleges as follows:

THE PARTIES

1. Plaintiff Albert Mora ("Mora" or "Plaintiff") is, an individual and at all relevant times alleged herein resided in the State of California and was employed by defendant Anschutz Entertainment Group, Inc. ("AEG") in Los Angeles County.

2. Plaintiff is informed and believes, and on that basis alleges, that defendant, AEG is, and at all relevant times, was a corporation doing business in the County of Los Angeles, California and that it is considered an employer as defined in the California Fair Employment and Housing Act ("FEHA").

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 515 SOUTH FIGUEROA STREET, SUITE 1515
 LOS ANGELES, CALIFORNIA 90071
 (213) 622-5600 FAX: (213) 622-5623

CIT/CASE: BC434534 LEA/DEF#:
 RECEIPT #: CCA477228975
 DATE PAID: 03/24/10 03:29:47 PM
 PAYMENT: \$355.00
 RECEIVED:
 CHECK:
 CASH:
 CHANGE:
 CARD:

4. Plaintiff is informed and believes and thereon alleges that the named defendants, Does 1 through 20, and each of them, are, and at all relevant times were, the alter ego, agent, servant, employee, representative, successor, predecessor, joint venturer, and/or partner of each other, and in doing the things herein alleged, each of the co-defendants were acting within the scope of authority conferred upon such parties by the consent, approval, and/or ratification of each of the other co-defendants and Does 1 through 20 whether such authority was actual or apparent. As such, each of the defendants may be held liable, either directly or secondarily, for the acts, errors, and omissions, of each of the other co-defendants.

5. Plaintiff first became employed with AEG on or about in December 2007 as a Server Architect, Information Technology. At all times while employed, Plaintiff was a dedicated, hard working and loyal employee for AEG performing his duties in an exemplary manner. In fact, AEG acknowledged Plaintiff's exemplary performance by promoting Mora to the position of Server Infrastructure Manager in February 2008 and increasing his annual salary. Then, in November 2008, Mora received a Manager Review Assessment which rated his overall performance at AEG as 4.11 on a scale of 1 to 5. At that time, Mora's supervisor, Denise Taylor ("Taylor"), gave Mora a glowing review and noted that "[Plaintiff's] efforts have contributed significantly to the success of the overall IT team as well as directly to his server team." Accordingly, on January 15, 2009, AEG gave Mora another salary increase based upon his performance rating of "highly successful."

6. In early February 2009, however, a life-threatening incident occurred which required Mora's girlfriend to be hospitalized. In connection with this incident, Mora took

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1 off work on February 2 and 3, 2009. Upon his return on February 4, 2009, Mora met separately
2 with his immediate supervisor, Taylor, as well as with AEG's Senior Director of Human
3 Resources, Shawn Imitates Dog ("Imitates Dog"). During the meeting with Taylor, Mora
4 advised her that he had been very shaken up by the incident involving his girlfriend and would
5 need some time away from work in order to deal with his emotional distress and the stress
6 caused by the incident. During the meeting with Imitates Dog, Mora also discussed his situation
7 and asked Imitates Dog to provide him with the necessary information and paperwork so he
8 could take time off from work under the Family and Medical Leave Act ("FMLA"), 29 U.S.C. §
9 2601 and the California Family Rights Act ("CFRA"), Govt Code § 12945.2.

10 7. On February 11, 2009, exactly one week after Mora requested
11 information regarding taking a leave of absence under the FMLA and CFRA, AEG terminated
12 Mora. Although AEG's stated reason for this termination was poor performance, in reality,
13 AEG terminated Mora so as to prevent him from exercising his right to take a leave of absence.

14 8. AEG's interference, retaliation and termination of Mora caused him to
15 suffer additional health problems and complications, including severe emotional and physical
16 distress. Additionally, AEG's illegal acts caused Mora to suffer from severe financial hardship.

17 9. After his termination, Mora filed a Complaint of Discrimination against
18 AEG under the provisions of the California Fair Employment and Housing Act. In turn, the
19 Department of Fair Employment and Housing issued a right-to-sue notice to Mora with regard
20 to AEG.

21 FIRST CAUSE OF ACTION

22 (Interference in Violation of the Family and Medical Leave Act
23 and California Family Rights Act)
24 (Against All Defendants and Does 1-10)

25 10. Plaintiff incorporates by reference, as though fully set forth at length,
26 paragraphs 1 through 9, inclusive, of this Complaint.

27 11. At all relevant times, the FMLA and CFRA were in full force and effect
28 and were binding upon defendants. Under those statutory schemes, an employer is prohibited

1 from interfering with an eligible employee's right to take a FMLA or CFRA leave.
 2 Additionally, the FMLA and CFRA prohibit an employer from retaliating against an employee
 3 for exercising his right to take such a leave.

4 12. On February 4, 2009, Mora advised AEG that he wanted to exercise his
 5 right under the FMLA and the CFRA to take some time off from work in order to deal with his
 6 emotional distress and stress caused by the incident with his girlfriend. In doing so, Mora
 7 specifically requested that AEG provide him with the necessary information and paperwork so
 8 he could take a FMLA and CFRA leave of absence. However, rather than to allow Mora to take
 9 this leave of absence, AEG instead interfered with Mora's right to take a leave of absence,
 10 retaliated against Mora, and then terminated Mora. AEG terminated Mora so as to prohibit him
 11 from exercising his rights under the FMLA and CFRA.

12 13. Defendants engaged in improper conduct in the workplace by interfering
 13 with Plaintiff's right to take a leave of absence under the FMLA and CFRA. Those statutory
 14 schemes prohibit an employer from interfering with an eligible employee's right to take either an
 15 FMLA or CFRA leave or retaliating against an employee for wanting to take such a leave.
 16 Mora filed a Complaint of Discrimination against AEG under the provisions of the California
 17 Fair Employment and Housing Act, and the Department of Fair Employment and Housing
 18 issued a right-to-sue notice to Mora with regard to AEG.

19 14. As a proximate result of defendants' willful, knowing and intentional
 20 discrimination, plaintiff has suffered and continues to suffer serious health problems,
 21 humiliation, severe emotional distress, mental and physical pain and anguish, all to his damage
 22 in a sum according to proof.

23 15. Based on defendants' willful, knowing, and intentional discrimination
 24 against plaintiff, he seeks an award of other damages recoverable under the FMLA, CFRA and
 25 FEHA, including punitive damages, in an amount according to proof, and an injunction to
 26 prohibit further illegal acts of interference by defendants, and each of them, against present and
 27 future employees and applicants.

28 ///

17. Defendants and each of them acted for the purpose of causing plaintiff to suffer financial loss, severe emotional distress and physical distress, and are guilty of oppression and malice, justifying an award of exemplary and punitive damages.

(Against All Defendants and Does 1-10)

19. California law prohibits retaliation in the workplace. The FMLA, CFRA, FEHA, and other state and federal statutory schemes protect workers from retaliation. Plaintiff was eligible to take medical leave and requested the right to take such leave from AEG. In response, defendants retaliated against Plaintiff by terminating him. Plaintiff is informed and believes that defendants' conduct was designed to advise him that defendants would not tolerate any employee taking medical leave. Further, AEG disseminated the fact that Plaintiff was terminated to other employees in order to send a clear and harsh message that if other employees took medical leave, they, too, would be fired.

21. As a proximate result of defendants' willful, knowing and intentional retaliation, plaintiff has suffered and continues to suffer serious health problems, humiliation, severe emotional distress and mental and physical pain and anguish, all to his damage in a sum according to proof.

22. Based on defendants' willful, knowing, and intentional retaliation against plaintiff, he seeks an award of other damages recoverable under the FMLA, CFRA and FEHA, including punitive damages, in an amount according to proof, and an injunction to prohibit

1 further acts of retaliation by defendants, and each of them, against present and future employees
2 and applicants.

3 23. Based on defendants' improper conduct, plaintiff has incurred and
4 continues to incur legal expenses and attorneys' fees and plaintiff seeks recovery of those fees
5 which will be proven at trial.

6 THIRD CAUSE OF ACTION

7 (Retaliation - Tortious)

8 (Against All Defendants and Does 1-10)

9 24. Plaintiff incorporates by reference, as though fully set forth at length,
10 paragraphs 1 through 23 inclusive, of this Complaint.

11 25. California law prohibits retaliation in the workplace. The FMLA, CFRA,
12 FEHA, and other state and federal statutory schemes protect workers from retaliation. Plaintiff
13 was eligible to take medical leave and requested the right to take such leave from AEG. In
14 response, defendants retaliated against Plaintiff by terminating him. Plaintiff is informed and
15 believes that defendants' conduct was designed to advise him that defendants would not tolerate
16 any employee taking medical leave. Further, AEG disseminated the fact that Plaintiff was
17 terminated to other employees in order to send a clear and harsh message that if other
18 employees took medical leave, they, too, would be fired.

19 26. The conduct of defendants constitutes unlawful retaliation in violation of
20 the FMLA, CFRA and FEHA.

21 27. As a proximate result of defendants' willful, knowing and intentional
22 retaliation, plaintiff has suffered and continues to suffer serious health problems, humiliation,
23 severe emotional distress and mental and physical pain and anguish, all to his damage in a sum
24 according to proof.

25 28. Based on defendants' willful, knowing, and intentional retaliation against
26 plaintiff, he seeks an award of other damages recoverable under the FMLA, CFRA and FEHA,
27 including punitive damages, in an amount according to proof, and an injunction to prohibit
28 further acts of retaliation by defendants, and each of them, against present and future employees

1 and applicants.

2 29. Based on defendants' improper conduct, plaintiff has incurred and
3 continues to incur legal expenses and attorneys' fees and plaintiff seeks recovery of those fees
4 which will be proven at trial.

5 **FOURTH CAUSE OF ACTION**

6 (Wrongful Termination in Violation of Public Policy)

7 (Against AEG and Does 5-20 inclusive)

8 30. Plaintiff incorporates by reference, as though fully set forth at length,
9 paragraphs 1 through 29 inclusive, of this Complaint.

10 31. The above-described conduct of defendants constitutes interference,
11 retaliation and wrongful termination of Plaintiff in violation of public policy embodied in the
12 FEHA.

13 32. As a proximate result of defendants' willful, knowing and intentional
14 discrimination, retaliation and wrongful termination, Plaintiff has suffered and continues to
15 suffer humiliation, severe emotional distress, mental anguish and physical pain all to his
16 damage in a sum according to proof.

17 33. Based on defendants' willful, knowing, and intentional wrongful
18 termination of Plaintiff, he seeks an award of other damages recoverable under FEHA, including
19 punitive damages, in an amount according to proof, and an injunction under FEHA to prohibit
20 further acts of wrongful termination by defendants, and each of them, against present and future
21 employees and applicants.

22 34. Based on defendants' improper conduct, Plaintiff has incurred and
23 continues to incur legal expenses and attorneys' fees and Plaintiff seeks recovery of those fees
24 in an amount to be proven at trial.

25 WHEREFORE, Plaintiff, Albert Mora, prays for judgment as follows:

- 26 1. General damages, in an amount according to proof;
27 2. Statutory Damages;

28 ///

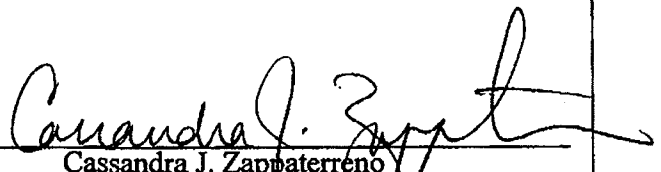
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3. Medical and related expenses, past and future, in an amount according to proof;
4. Damages for other pecuniary losses, in amount(s) according to proof;
5. Attorney fees as permitted by law or statute;
6. Punitive Damages;
7. For costs of suit incurred herein; and
8. For such other and further relief as the Court deems just and proper.

DATED: March 24, 2010

PRATA & DALEY LLP

By


Cassandra J. Zappaterreno
Attorneys for Plaintiff, ALBERT MORA

PRATA & DALEY LLP
515 SOUTH FIGUEROA STREET, SUITE 1515
LOS ANGELES, CALIFORNIA 90071
(213) 622-5800 FAX: (213) 622-5623

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): PRATA & DALEY LLP Cassandra J. Zappaterreno (Bar No. 208798) 515 South Figueroa Street Suite 1515 Los Angeles, California 90071 TELEPHONE NO.: (213) 622-5600 FAX NO.: (213) 622-5623		FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">FILED</div> <div style="font-size: 0.8em; margin: 5px 0;">SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES</div> <div style="font-size: 1.2em; margin: 10px 0;">MAR 24 2010</div> <div style="font-size: 0.8em; margin: 5px 0;">John A. Clarke, Executive Officer/Clerk</div> <div style="font-size: 0.8em; margin: 5px 0;">By <u>RUGENA LOPEZ</u> Deputy</div>
ATTORNEY FOR (Name): <u>Plaintiff, ALBERT MORA</u>		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, California 90012 BRANCH NAME: <u>Central</u>		
CASE NAME: <u>ALBERT MORA v. ANSCHUTZ ENTERTAINMENT, INC., et al.</u>		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
		CASE NUMBER: JUDGE: BC434534 DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input checked="" type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): 1. Interference in Viol. of FMLA & Calif. Family Rights Act; 2. Retaliation
5. This case ☐ is ☒ is not a class action suit. (Statutory); 3. Retaliation (Tortious); & 4. Wrongful Term.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 24, 2010

Cassandra J. Zappaterreno
(TYPE OR PRINT NAME)

 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)
NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (not asbestos or toxic/environmental) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress

Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (not medical or legal)
Other Non-PI/PD/WD Tort (35)
Employment
Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (not unlawful detainer or wrongful eviction)
Contract/Warranty Breach—Seller Plaintiff (not fraud or negligence)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (not provisionally complex) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (not eminent domain, landlord/tenant, or foreclosure)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (non-domestic relations)
Sister State Judgment
Administrative Agency Award (not unpaid taxes)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (not specified above) (42)
Declaratory Relief Only
Injunctive Relief Only (non-harassment)
Mechanics Lien
Other Commercial Complaint Case (non-tort/non-complex)
Other Civil Complaint (non-tort/non-complex)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (not specified above) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief from Late Claim
Other Civil Petition

SHORT TITLE: ALBERT MORA v. ANSCHUTZ ENTERTAINMENT, INC.,
et al.

CASE NUMBER

BC 434534

**CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)****This form is required pursuant to LASC Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.****Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:**JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 7 ☐ HOURS/ ☒ DAYS**Item II. Select the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):****Step 1:** After first completing the Civil Case Cover Sheet Form, find the main civil case cover sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.**Step 2:** Check one Superior Court type of action in Column B below which best describes the nature of this case.**Step 3:** In Column C, circle the reason for the court location choice that applies to the type of action you have checked.

For any exception to the court location, see Los Angeles Superior Court Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (See Column C below)

1. Class Actions must be filed in the County Courthouse, Central District.
2. May be filed in Central (Other county, or no Bodily Injury/Property Damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	2.
		<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 2., 4.
<input type="checkbox"/> A7240 Other Professional Health Care Malpractice		1., 2., 4.	
Non-Personal Injury/Property Damage/Wrongful Death Tort	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 2., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 2., 4.
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 2., 3.
		<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 2., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.

Non-Personal Injury/Property Damage/
Wrongful Death Tort (Cont'd.)

Employment

Contract

Real Property

Unlawful Detainer

Judicial Review

SHORT TITLE: ALBERT MORA v. ANSCHUTZ ENTERTAINMENT, INC., et al.		CASE NUMBER
A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input checked="" type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not Unlawful Detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer - Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer - Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer - Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.

SHORT TITLE: ALBERT MORA v. ANSCHUTZ ENTERTAINMENT, INC., et al.

CASE NUMBER

Judicial Review (Cont'd.)

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2., 8.
	<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2.
	<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ / Judicial Review	2., 8.
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	<input type="checkbox"/> A6007 Construction defect	1., 2., 3.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2., 9.
	<input type="checkbox"/> A6160 Abstract of Judgment	2., 6.
	<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2., 9.
	<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2., 8.
	<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2., 8.
	<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 8., 9.
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
	<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
	<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2., 3., 9.
	<input type="checkbox"/> A6123 Workplace Harassment	2., 3., 9.
	<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2., 3., 9.
	<input type="checkbox"/> A6190 Election Contest	2.
	<input type="checkbox"/> A6110 Petition for Change of Name	2., 7.
	<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2., 3., 4., 8.
	<input type="checkbox"/> A6100 Other Civil Petition	2., 9.

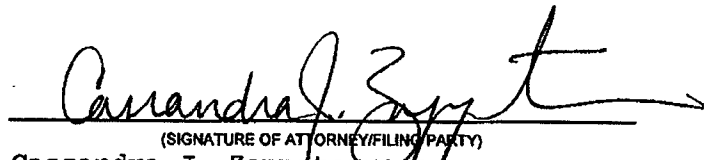
SHORT TITLE: ALBERT MORA v. ANSCHUTZ ENTERTAINMENT, INC., et al.	CASE NUMBER
--	-------------

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: CHECK THE NUMBER UNDER COLUMN C WHICH APPLIES IN THIS CASE		ADDRESS:
<input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		800 W. Olympic Boulevard
CITY:	STATE:	ZIP CODE:
Los Angeles	CA	90015

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Los Angeles courthouse in the Central District of the Los Angeles Superior Court (Code Civ. Proc., § 392 et seq., and LASC Local Rule 2.0, subds. (b), (c) and (d)).

Dated: March 24, 2010


(SIGNATURE OF ATTORNEY/FILING PARTY)
Cassandra J. Zappaterreno

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet form CM-010.
4. Complete Addendum to Civil Case Cover Sheet form LACIV 109 (Rev 01/07), LASC Approved 03-04.
5. Payment in full of the filing fee, unless fees have been waived.
6. Signed order appointing the Guardian ad Litem, JC form FL-935, if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

NOTICE SENT TO:

Prata, Robert J., Esq.
 Prata & Daley LLP
 515 South Figueroa Blvd., Suite 1515
 Los Angeles, CA 90071

FILED
 FILE STAMP
 LOS ANGELES SUPERIOR COURT

APR 05 2010

JOHN A. CLARKE, CLERK
 BY M. CASTILLO, DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

ALBERT MORA

Plaintiff(s),

VS.

ANSCHUTZ ENTERTAINMENT GROUP INC
 Defendant(s).

CASE NUMBER

BC434534

NOTICE OF CASE
MANAGEMENT CONFERENCE

TO THE PLAINTIFF(S)/ATTORNEY(S) FOR PLAINTIFF(S) OF RECORD:

You are ordered to serve this notice of hearing on all parties/attorneys of record forthwith, and meet and confer with all parties/attorneys of record about the matters to be discussed no later than 30 days before the Case Management Conference.

Your Case Management Conference has been scheduled for July 23, 2010 at 8:30 am in Dept. 35 at 111 N. Hill Street, Los Angeles, California 90012.

Pursuant to California Rules of Court, 3.720-3.730, a completed Case Management Statement (Judicial Council form # CM-110) must be filed at least 15 calendar days prior to the Case Management Conference. The Case Management Statement may be filed jointly by all parties/attorneys of record or individually by each party/attorney of record. You must be familiar with the case and be fully prepared to participate effectively in the Case Management Conference.

At the Case Management Conference, the Court may make pretrial orders including the following, but not limited to, an order establishing a discovery schedule; an order referring the case to Alternative Dispute Resolution (ADR); an order reclassifying the case; an order dismissing fictitious/unnamed defendants; an order setting subsequent conference and the trial date; or other orders to achieve the goals of the Trial Court Delay Reduction Act (GC 68600 et seq.)

Notice is hereby given that if you do not file the Case Management Statement or appear and effectively participate at the Case Management Conference, the Court may impose sanctions pursuant to LASC Local Rule 7.13, CCP Sections 177.5, 575.2, 583.150, 583.360 and 583.410, GC Section 68608 (b), and California Rules of Court 2.2 et seq.

Date: April 5, 2010

David J. Sanchez
 Judicial Officer

CERTIFICATE OF SERVICE

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Case Management Conference upon each party or counsel named above:

☒ by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed herein in a separate sealed envelope to each address as shown above with postage thereon fully prepaid.

☐ by personally giving the party notice upon filing the complaint.

Date: April 5, 2010

John A. Clarke, Executive Officer/Clerk

by *M. Castillo*, Deputy Clerk

NOTICE SENT TO:

Prata, Robert J., Esq.
 Prata & Daley LLP
 515 South Figueroa Blvd., Suite 1515
 Los Angeles, CA 90071

FILED
 FILE STAMP
 LOS ANGELES SUPERIOR COURT

MAR 26 2010

JOHN A. CLARKE, CLERK
 BY V. ANDRADE, DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

ALBERT MORA

Plaintiff(s),

VS.

CASE NUMBER

BC434534

ANSCHUTZ ENTERTAINMENT GROUP INC
 Defendant(s).

Notice of Case Reassignment and of
 Order for Plaintiff to Give Notice

TO THE PLAINTIFF(S) AND PLAINTIFF'S ATTORNEY OF RECORD or PLAINTIFF(S) IN PROPRIA PERSONA:

YOU ARE HEREBY NOTIFIED that effective April 1, 2010, an order was made that the above-entitled action, previously assigned to Helen I. Bendix, is now and shall be assigned to Daniel J. Buckley as an Individual Calendar (IC), direct calendaring judge for all purposes, including trial, in Department 35. (See Chapter 7, Los Angeles Court Rules.) All matters on calendar in this case will remain set on the dates previously noticed, in the Department indicated above unless otherwise ordered by the court.

NOTICE IS FURTHER GIVEN that the order directs that plaintiff and counsel for the plaintiff shall give notice of this all purpose case assignment by serving a copy of this Notice on all parties to this action within 10 days of service of this Notice by the court, and file proof of service thereof within 12 days of this Notice. Failure to timely give notice and file proof of service may lead to imposition of sanctions pursuant to Code of Civil Procedure Section 177.5 or otherwise.

CERTIFICATE OF MAILING

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Case Reassignment and Order upon each party or counsel named above by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown above with the postage thereon fully prepaid.

Date: March 26, 2010

John A. Clarke, EXECUTIVE OFFICER/CLERK

By V. Andrade, Deputy Clerk

V. ANDRADE

EXHIBIT A PAGE 21

Attorney or Party without Attorney: CASSANDRA J. ZAPPATERRENO, ESQ., Bar #208798 PRATA & DALEY LLP 515 SOUTH FIGUEROA STREET SUITE 1515 LOS ANGELES, CA 90071 Telephone No: 213-662-5600 FAX No: 213-662-5623				For Court Use Only FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES APR 02 2010	
Attorney for: Plaintiff				Ref. No. or File No.:	
Insert name of Court, and Judicial District and Branch Court: LOS ANGELES COUNTY SUPERIOR COURT, CENTRAL DISTRICT					
Plaintiff: ALBERT MORA				John A. [Signature] Executive Officer/Clerk	
Defendant: ANSCHUTZ ENTERTAINMENT GROUP, INC., ETC., ET AL.				By [Signature] Deputy GLORIETTA ROBINSON	
PROOF OF SERVICE SUMMONS & COMPLAINT		Hearing Date:	Time:	Dept/Div:	Case Number: BC434534

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS; COMPLAINT; CIVIL CASE COVER SHEET; CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION; NOTICE OF CASE ASSIGNMENT - UNLIMITED CIVIL CASE; ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE; NOTICE OF CASE REASSIGNMENT AND OF ORDER FOR PLAINTIFF TO GIVE NOTICE.
3. a. Party served: ANSCHUTZ ENTERTAINMENT GROUP, INC., A CORPORATION
 b. Person served: MARGARET WILSON, PROCESS SPECIALIST, CT CORPORATION SYSTEM, REGISTERED AGENT.
4. Address where the party was served: 818 W 7TH STREET
 LOS ANGELES, CA 90017
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Mar. 30, 2010 (2) at: 2:45PM
6. The "Notice to the Person Served" (on the Summons) was completed as follows:
 on behalf of: ANSCHUTZ ENTERTAINMENT GROUP, INC., A CORPORATION
 Under CCP 416.10 (corporation)

7. Person Who Served Papers:

a. MOHAMMAD RAFIQUZZAMAN



1511 West Beverly Blvd.
 Los Angeles, CA 90026
 Telephone (213) 250-9111
 Fax (213) 250-1197
 www.firstlegallnetwork.com

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was:

- e. I am: (3) registered California process server
- (i) Independent Contractor
 - (ii) Registration No.: 5722
 - (iii) County: Los Angeles

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Wed, Mar. 31, 2010

EXHIBIT A PAGE 22

[Signature]

BRYAN CAVE LLP
PAMELA CARROLL CALVET, California Bar No. 112612
CHELSEA D. SPUCK, California Bar No. 217746
120 Broadway, Suite 300
Santa Monica, California 90401-2386
Telephone: (310) 576-2100
Facsimile: (310) 576-2200
E-Mail: pccalvet@bryancave.com

Attorneys for ANSCHUTZ
ENTERTAINMENT GROUP, INC.

CONFORMED COPY
OF ORIGINAL FILED
Superior Court of California
County of Los Angeles

APR 29 2010

John A. Clarke, Executive Officer/Clerk
By RUCENA LOPEZ Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ALBERT MORA,

Plaintiff,

v.

ANSCHUTZ ENTERTAINMENT
GROUP, INC.; and DOES 1 through 20,
inclusive,

Defendants.

Case No. BC434534

Assigned to: Hon. Daniel J. Buckley

**ANSWER OF DEFENDANT
ANSCHUTZ ENTERTAINMENT
GROUP, INC. TO UNVERIFIED
COMPLAINT**

Complaint Filed: March 24, 2010

Defendant Anschutz Entertainment Group, Inc. ("AEG" or "Defendant") hereby responds to the allegations contained in the unverified Complaint (the "Complaint") filed by Plaintiff Albert Mora ("Plaintiff"), as follows:

Pursuant to California Code of Civil Procedure Section 431.30(d), Defendant generally and specifically denies each and every allegation contained in the Complaint. Defendant further denies that Plaintiff has sustained damages in the amount alleged or in any amount whatsoever and also deny that Plaintiff is entitled to any relief of any kind.

AFFIRMATIVE DEFENSES

Notwithstanding the foregoing, and without waiver of its rights, Defendant asserts the following affirmative defenses:

FIRST AFFIRMATIVE DEFENSE

(Failure to State a Claim)

1. Neither the Complaint, nor any purported cause of action contained therein, alleges facts sufficient to state a cause of action against Defendant.

SECOND AFFIRMATIVE DEFENSE

(Punitive Damages Not Available)

2. Plaintiff is not entitled to recover the punitive damages alleged in the Complaint, and therefore any punitive damages-related allegations should be stricken, because:

a. Plaintiff has failed to plead facts sufficient to support allegations of oppression, fraud, and/or malice. Civ. Code § 3294(a); and/or

b. Plaintiff has failed to plead facts sufficient to support allegations of gross or reckless disregard for the rights of Plaintiff, or that Defendant was motivated by evil motive or intent; and/or

c. Defendant has not committed any alleged oppressive, fraudulent, or malicious act, authorized or ratified such an act, or had advance knowledge of the unfitness, if any, of any employee or employees who allegedly committed such an act, or employed any such employee or employees with a conscious disregard of the rights of others. Civ. Code § 3294(b); and/or

d. California's laws regarding the alleged conduct in question in this action are too vague to permit the imposition of punitive damages, and because California's laws, rules, and procedures regarding punitive damages deny due process and impose criminal penalties without the requisite protections, they violate the Fifth and Fourteenth Amendments to the United States Constitution and place an unreasonable burden on interstate commerce; and/or

e. The imposition of punitive damages in this case would violate Defendant's right to protection against excessive fines, as provided in the Eighth Amendment to the United States Constitution or Article 1, Section 17 of the Constitution

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1 of the State of California.

2 f. Punitive damages are not available for any alleged violation of the
3 Family Medical Leave Act, 29 USC. Section 2601, *et seq.* ("FMLA").

4 THIRD AFFIRMATIVE DEFENSE

5 (Lack of Damages)

6 3. Plaintiff has suffered no legally cognizable damages as a result of the matters
7 alleged in the Complaint.

8 FOURTH AFFIRMATIVE DEFENSE

9 (Failure to Mitigate)

10 4. If Plaintiff sustained any damages proximately caused by the conduct alleged
11 in the Complaint, Plaintiff has failed to mitigate any such damages, and to the extent of
12 such failure to mitigate, any damages awarded to Plaintiff must be reduced accordingly.

13 FIFTH AFFIRMATIVE DEFENSE

14 (No Proximate Cause)

15 5. Any act, or omissions to act, by Defendant was not the proximate cause of
16 any injuries suffered by Plaintiff.

17 SIXTH AFFIRMATIVE DEFENSE

18 (No Attorneys' Fees)

19 6. The Complaint, and each purported cause of action contained therein, fails to
20 allege facts sufficient to allow recovery of attorneys' fees from Defendant.

21 SEVENTH AFFIRMATIVE DEFENSE

22 (Estoppel)

23 7. Plaintiff, by reason of his conduct and actions, is estopped from asserting any
24 of his purported causes of action against Defendant.

25 EIGHTH AFFIRMATIVE DEFENSE

26 (Waiver)

27 8. Plaintiff, by reason of his conduct and actions, has waived any of his
28 purported causes of action against Defendant.

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NINTH AFFIRMATIVE DEFENSE

(Unclean Hands)

9. Plaintiff, by reason of his conduct and actions, is barred from asserting and recovering on his claims because of unclean hands.

TENTH AFFIRMATIVE DEFENSE

(Policy Prohibiting Retaliation)

10. At all relevant times hereto, Defendant had policies and practices in place to prevent retaliation in the workplace and to provide eligible employees with leave in accordance with the applicable provisions of FMLA and the California Family Leave Act, California Government Code Section 12945.2 ("CFRA").

ELEVENTH AFFIRMATIVE DEFENSE

(Good Faith Employment Decision)

11. Any employment-related actions taken with respect to Plaintiff by Defendant were in good faith and taken for legitimate, non-retaliatory, and lawful business reasons unrelated to any request for leave under FMLA or CFRA.

TWELFTH AFFIRMATIVE DEFENSE

(Management Discretion)

12. Any and all conduct of which Plaintiff complains was a just and proper exercise of management discretion by Defendant undertaken for a fair and honest reason and regulated by good faith under the circumstances that existed.

THIRTEENTH AFFIRMATIVE DEFENSE

(Plaintiff's Misconduct)

13. Plaintiff's conduct concerning the matters alleged in the Complaint constitutes carelessness, negligence, misconduct or bad faith, or Plaintiff was otherwise at fault, and the resulting injuries, if any, sustained by Plaintiff were proximately caused by and contributed to, in whole or in part, by the conduct of Plaintiff.

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FOURTEENTH AFFIRMATIVE DEFENSE

(No Good Faith Belief)

14. Plaintiff had no good faith belief as to the existence of any violation of public policy, nor was there any actual violation of public policy.

FIFTEENTH AFFIRMATIVE DEFENSE

(Bad Faith)

15. The allegations and claims asserted in the Complaint, and in each of its purported causes of action, have always been and continue to be frivolous, unreasonable, and groundless. Plaintiff brought this action in bad faith.

SIXTEENTH AFFIRMATIVE DEFENSE

(Business Judgment Rule)

16. The Complaint, and each purported cause of action therein, are barred because any decision made with respect to Plaintiff's employment was reasonably based on the facts as Defendant understood them at the time of the decision.

SEVENTEENTH AFFIRMATIVE DEFENSE

(Sufficient Justification and Privilege)

17. Defendant's conduct with respect to Plaintiff was justified, privileged, and effected in good faith, without malice, spite or conscious, reckless or negligent disregard to Plaintiff's rights, if any, and without improper purpose or motive, maliciousness, or ill will of any kind. Defendant's conduct was within the reasonable expectation of the parties and was reasonably related to legitimate business interests. Consistent with the foregoing, Defendant did not directly or indirectly perform or fail to perform any acts which constitute a violation of any rights, if any, of Plaintiff, or a violation of any duty or obligation, if any, owed to Plaintiff.

EIGHTEENTH AFFIRMATIVE DEFENSE

(Alternative Cause)

18. To the extent Plaintiff has suffered any symptoms of mental, emotional, or physical distress or injury, it is the result of pre-existing physical or psychological

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1 disorders or an alternative concurrent cause, and not the results of any act or omission of
2 Defendant.

3 NINETEENTH AFFIRMATIVE DEFENSE

4 (Superseding and/or Intervening Cause)

5 19. To the extent that any of Plaintiff's alleged damages were somehow
6 triggered by the acts or omissions of Defendant, which is denied, there existed
7 a superseding and/or intervening cause for such damages for which Defendant bears no
8 obligation, responsibility, or liability.

9 TWENTIETH AFFIRMATIVE DEFENSE

10 (Lack of Subject Matter Jurisdiction)

11 20. This Court has no jurisdiction over the subject matter of some or all of the
12 purported causes of action alleged in the Complaint.

13 TWENTY-FIRST AFFIRMATIVE DEFENSE

14 (Scope of Relief)

15 21. Plaintiff's causes of action for alleged violations of the Fair Employment and
16 Housing Act ("FEHA") and the CFRA, Gov. Codes 12900, *et seq.*, are barred to the extent
17 predicated upon events, incidents, acts, allegations, or omissions that are not the subject of
18 or are outside the scope of a charge of discrimination filed with the Department of Fair
19 Employment and Housing.

20 TWENTY-SECOND AFFIRMATIVE DEFENSE

21 (No Protected Activity)

22 22. The Complaint fails to state a cause of action for retaliation, because Plaintiff
23 did not engage in any protected activity.

24 TWENTY-THIRD AFFIRMATIVE DEFENSE

25 (No Retaliation or Interference)

26 23. The Complaint and each cause of action alleged therein fail to state a claim
27 upon which relief can be granted, because any actions taken with respect to Plaintiff's
28 employment were unrelated to his purported protected activity, if any.

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TWENTY-FOURTH AFFIRMATIVE DEFENSE

(Compliance with Applicable Laws and Regulations)

24. The Complaint, and each purported cause of action alleged in the Complaint, is barred, in whole or in part, because Defendant has complied with any and all applicable statutes, regulations and/or laws governing the employment relationship (to the extent Defendant was required to do so).

TWENTY-FIFTH AFFIRMATIVE DEFENSE

(No Liquidated Damages Under FMLA)

25. To the extent that Plaintiff seeks liquidated damages, Plaintiff's claims for such damages are barred because Defendant had a good faith, reasonable belief that all of its actions were lawful and were not violative of the FMLA.

TWENTY-SIXTH AFFIRMATIVE DEFENSE

(Good Faith)

26. To the extent that Defendant may be found to have violated the FMLA, CFRA, and/or FEHA (which it denies), any such violation was in good faith, and Defendant had reasonable grounds for believing that there had not been a violation of the FMLA, CFRA, or FEHA.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE

(Regulations Inconsistent)

27. To the extent that the regulations issued by the Department of Labor regarding the FMLA purport to provide rights greater than or different from that provided by the FMLA itself, those regulations are invalid. To the extent that the regulations issued by the California Fair Employment and Housing Commission regarding the CFRA purport to provide rights greater than or different from provided by the CFRA itself, those regulations are invalid.

TWENTY-EIGHTH AFFIRMATIVE DEFENSE

(No Reasonable Belief)

28. Plaintiff's retaliation claim is barred, because Plaintiff did not hold

1 and

2 4. For such other and further relief as the Court deems just and proper.

3 Dated: April 27, 2010

Respectfully submitted,

4 BRYAN CAVE LLP

5
6 By: 
7 PAMELA CARROLL CALVET
8 Attorneys for ANSCHUTZ ENTERTAINMENT
9 GROUP, INC.

BRYAN CAVE LLP
120 BROADWAY, SUITE 300
SANTA MONICA, CALIFORNIA 90401-2386

1 **PROOF OF SERVICE**

2
3 I am employed in the County of Los Angeles, State of California. I am over the age
4 of 18 and not a party to the within action. My business address is 120 Broadway,
Suite 300, Santa Monica, California 90401-2386.

5 On April 29, 2010, I served the foregoing document, described as **ANSWER OF**
6 **DEFENDANT ANSCHUTZ ENTERTAINMENT GROUP, INC. TO UNVERIFIED**
COMPLAINT, on each interested party in this action, as follows:

7 Robert J. Prata, Esq.
8 Cassandra J. Zappaterreno, Esq.
9 Nathan D. Clark Esq.
10 Prata & Daley LLP
515 South Figueroa Street, Suite 1515
Los Angeles, CA 90071
Telephone: (213) 622-5600
Facsimile: (213) 622-5623

Attorneys for Plaintiff

11 ☒ (BY MAIL) I placed a true copy (or original) of the foregoing document in a
12 sealed envelope addressed to each interested party as set forth above. I placed each such
13 envelope, with postage thereon fully prepaid, for collection and mailing at Bryan Cave
LLP, Santa Monica, California. I am readily familiar with Bryan Cave LLP's practice for
14 collection and processing of correspondence for mailing with the United States Postal
Service. Under that practice, the correspondence would be deposited in the United States
Postal Service on that same day in the ordinary course of business.

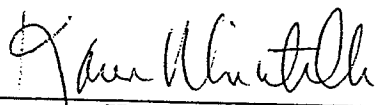
15 ☐ (BY FEDEX) I deposited in a box or other facility maintained by FedEx, an
16 express carrier service, or delivered to a courier or driver authorized by said express carrier
service to receive documents, a true copy of the foregoing document, in an envelope
17 designated by said express service carrier, with delivery fees paid or provided for.

18 ☐ (BY FAX) I caused a true copy of the foregoing document to be served by
19 facsimile transmission from sending facsimile machine telephone number (310) 576-2200
to each interested party at the facsimile number set forth above. Each transmission was
20 reported as complete and without error. A transmission report was properly issued by the
sending facsimile machine for each interested party served.

21 ☐ (BY E-MAIL) I caused a true copy of the foregoing document to be served
22 by e-mail at the e-mail address set forth above. Each e-mail was complete and no reports
of error were received.

23 I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

24 Executed on April 29, 2010, at Santa Monica, California.

25
26 
27
28 Karen Minutelli

BRYAN CAVE LLP
120 BROADWAY, SUITE 300
SANTA MONICA, CALIFORNIA 90401-2386

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 120 Broadway, Suite 300, Santa Monica, California 90401-2386.

On April 29, 2010, I served the foregoing document, described as **DEFENDANT ANSCHUTZ ENTERTAINMENT GROUP, INC.'S NOTICE OF REMOVAL UNDER 28 U.S.C. §§ 1331 AND 1441(a),(b)**, on each interested party in this action, as follows:

Robert J. Prata, Esq. *Attorneys for Plaintiff*
 Cassandra J. Zappaterreno, Esq.
 Nathan D. Clark Esq.
 PRATA & DALEY LLP
 515 South Figueroa Street, Suite 1515
 Los Angeles, CA 90071
 Telephone: (213) 622-5600
 Facsimile: (213) 622-5623

☒ (BY MAIL) I placed a true copy (or original) of the foregoing document in a sealed envelope addressed to each interested party as set forth above. I placed each such envelope, with postage thereon fully prepaid, for collection and mailing at Bryan Cave LLP, Santa Monica, California. I am readily familiar with Bryan Cave LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business.

☐ (BY FEDEX) I deposited in a box or other facility maintained by FedEx, an express carrier service, or delivered to a courier or driver authorized by said express carrier service to receive documents, a true copy of the foregoing document, in an envelope designated by said express service carrier, with delivery fees paid or provided for.

☐ (BY FAX) I caused a true copy of the foregoing document to be served by facsimile transmission from sending facsimile machine telephone number (310) 576-2200 to each interested party at the facsimile number set forth above. Each transmission was reported as complete and without error. A transmission report was properly issued by the sending facsimile machine for each interested party served.

☐ (BY E-MAIL) I caused a true copy of the foregoing document to be served by e-mail at the e-mail address set forth above. Each e-mail was complete and no reports of error were received.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 29, 2010, at Santa Monica, California.



Karen Minutelli

BRYAN CAVE LLP
 120 BROADWAY, SUITE 300
 SANTA MONICA, CALIFORNIA 90401-2386

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Dale S. Fischer and the assigned discovery Magistrate Judge is Fernando M. Olguin.

The case number on all documents filed with the Court should read as follows:

CV10- 3242 DSF (FMOx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====:

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) ALBERT MORA	DEFENDANTS ANSCHUTZ ENTERTAINMENT GROUP, INC.; and DOES 1 through 20, inclusive												
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Robert J. Prata (213) 622-5600 Cassandra J. Zappaterreno / Nathan D. Clark PRATA & DALEY LLP 515 S. Figueroa Street, Suite 1515 Los Angeles, CA 90071	Attorneys (If Known) Pamela Carroll Calvet (310) 576-2100 Chelsea D. Spuck BRYAN CAVE LLP 120 Broadway, Suite 300 Santa Monica, CA 90401-2396												
II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%"><tr><td>Citizen of This State</td><td>PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1</td><td>Incorporated or Principal Place of Business in this State</td><td>PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4</td></tr><tr><td>Citizen of Another State</td><td><input type="checkbox"/> 2 <input type="checkbox"/> 2</td><td>Incorporated and Principal Place of Business in Another State</td><td><input type="checkbox"/> 5 <input type="checkbox"/> 5</td></tr><tr><td>Citizen or Subject of a Foreign Country</td><td><input type="checkbox"/> 3 <input type="checkbox"/> 3</td><td>Foreign Nation</td><td><input type="checkbox"/> 6 <input type="checkbox"/> 6</td></tr></table>	Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6
Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4										
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6										
IV. ORIGIN (Place an X in one box only.) <input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge													
V. REQUESTED IN COMPLAINT: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint.) CLASS ACTION under F.R.C.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No MONEY DEMANDED IN COMPLAINT: \$ <u>Unspecified</u>													

VI. CAUSE OF ACTION (Cite the U. S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
Family Medical Leave Act (FMLA), 29 USC 2601, et seq. Plaintiff alleges interference and retaliation under FMLA.

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 22 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 61 HIA(1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW 405(g) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number: CV10-3242

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s):

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s):

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES.	

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES.	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): Amela Corredor Dela Cruz Date April 28, 2010

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3 -1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))